

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ARMONI MASUD JOHNSON,

Petitioner,

v.

SUPERINTENDENT THOMAS  
MCGINLEY, *et al.*,

Respondents.

No. 3:21-CV-01280

(Chief Judge Brann)

(Chief Magistrate Judge Mehalchick)

**ORDER**

**NOVEMBER 23, 2022**

Armoni Masud Johnson, a Pennsylvania state prisoner, filed this 28 U.S.C. § 2254 petition related to the denial of his request for parole.<sup>1</sup> In October 2022, Chief Magistrate Judge Karoline Mehalchick issued a Report and Recommendation recommending that this Court deny the petition.<sup>2</sup> Johnson has filed timely objections to the Report and Recommendation.<sup>3</sup>

“If a party objects timely to a magistrate judge’s report and recommendation, the district court must ‘make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.’”<sup>4</sup> Regardless of whether timely objections are made, district courts may accept, reject,

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<sup>1</sup> Doc. 1.

<sup>2</sup> Doc. 42.

<sup>3</sup> Doc. 45.

<sup>4</sup> *Equal Emp’t Opportunity Comm’n v. City of Long Branch*, 866 F.3d 93, 99 (3d Cir. 2017) (quoting 28 U.S.C. § 636(b)(1)).

or modify—in whole or in part—the magistrate judge’s findings or recommendations.<sup>5</sup> Upon *de novo* review, the Court finds no error in Chief Magistrate Judge Mehalchick’s Report and Recommendation. Consequently, **IT IS HEREBY ORDERED** that:

1. Chief Magistrate Judge Karoline Mehalchick’s Report and Recommendation (Doc. 42) is **ADOPTED**;
2. Johnson’s 28 U.S.C. § 2254 petition (Doc. 1) is **DENIED**;
3. Johnson’s motions to supplement the complaint (Docs. 40, 51) are **GRANTED**;
4. Johnson’s motion to recall the mandate (Doc. 37), motion for injunctive relief (Doc. 39), and motion pursuant to Federal Rule of Criminal Procedure 9 (Doc. 43), are **DENIED**;
5. The Court declines to issue certificate of appealability;<sup>6</sup> and
6. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann

Chief United States District Judge

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<sup>5</sup> 28 U.S.C. § 636(b)(1); Local Rule 72.31.

<sup>6</sup> See *Slack v. McDaniel*, 529 U.S. 473, 484 (2000) (setting forth legal standard).